

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye  
Marshall Johnson  
Ken Nickolai  
Thomas Pugh  
Phyllis A. Reha

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Petition for Extended Area  
Service from Kilkenny to the Minneapolis/  
St. Paul Metropolitan Calling Area

ISSUE DATE: August 26, 2005

DOCKET NO. P-404, 407, 520, 405, 413, 421,  
426, 427, 430, 573/CP-04-1352

ORDER CERTIFYING POLLING RESULTS  
AND REQUIRING INSTALLATION OF  
PROPOSED EAS ROUTE

**PROCEDURAL HISTORY**

On August 16, 2004, telephone subscribers in the Kilkenny exchange filed a petition for extended area service (EAS) to the Minneapolis/St. Paul metropolitan calling area (MCA). The Kilkenny exchange is served by Frontier Communications of Minnesota, Inc. The MCA is served by ten incumbent local exchange carriers.

On October 29, 2004, the Commission issued an Order finding that this proposed EAS route met threshold requirements of adjacency and traffic volume. The Order required all affected telephone companies to determine the cost of installing and operating the proposed EAS route and to develop proposed rates to recover those costs.

Between December 6, 2004 and January 31, 2005, the affected telephone companies filed cost studies and proposed EAS rate additives. Four companies, TDS TELECOM, Sprint Minnesota, Lakedale Telephone Company, and Sherburne County Rural Telephone Company, filed letters stating that the costs of the route would be *de minimis* for them and that they did not intend to charge an EAS rate additive should the route be installed.

On April 27, 2005, the Commission issued its ORDER SETTING EAS RATE ADDITIVES AND REQUIRING POLLING.

On August 11, 2004, the Commission met to review the results of the polling and determine what steps were warranted in response to those results.

**FINDINGS AND CONCLUSIONS**

The Commission's February 26, 1996 ORDER AFTER RECONSIDERATION *In the Matter of an Investigation into the Appropriate Local Calling Scope, In Accordance with Minn. Stat. § 237.161 (1994)* set forth the criteria that must be met before the Commission will order telephone companies to install requested a requested EAS route.

On October 29, 2004, the Commission issued an Order in this matter finding that the proposed EAS route between Kilkenny and the MCA met the two threshold requirements applicable to petitions for EAS: adjacency and traffic volume.

The final requirement is that a polling of customers in the petitioning exchange shows that a majority of customers returning their ballots favor installation of the proposed EAS route. In this matter, customers in the Kilkenny exchange were polled pursuant to the Commission's April 27, 2005 Order. The results were as follows:

Voting Exchange	Petitioned Exchange(s)	Res. EAS Rate	Bus. EAS Rate	% Voting	Yes		No	
					#	%	#	%
Kilkenny	MCA	\$7.63	\$17.69	65.9	81	54.4	68	45.6

These results show that a majority of the customers returning ballots voted in favor of implementing EAS to the MCA.

Accordingly, the Commission will approve EAS between Kilkenny and the MCA and require Frontier Communications to implement the service in their exchange within 12 months following the date of this Order.

In addition, the Commission will specify certain implementation and docket conclusion activity consistent with Commission practice in previous Orders of this nature. See Ordering Paragraphs 2-7 below.

### **ORDER**

1. The Commission hereby certifies the polling results reported above and, as a consequence, approves the proposed extended area service (EAS) between Kilkenny and the MCA. Frontier Communications shall implement the service in their exchange within 12 months following the date of this Order.
2. Frontier Communications shall coordinate the implementation of EAS in the Kilkenny exchange with the telephone companies that serve the MCA and file an implementation schedule within 60 days of the Order. If, for some reason, the implementation schedule changes, Frontier Communications shall immediately notify the Commission and explain the reason(s) for the change.
3. Frontier Communications shall file the first of two proposed customer notices for approval by Commission staff within 10 days of the date of the Order. The notice for customers in the Kilkenny exchange shall list the results of the polling, the EAS additives and the proposed implementation date. After approval by the Commission, Frontier Communications shall serve the notice in the first possible billing cycle.

4. Frontier Communications shall send a final, Commission approved, notice to customers in the Kilkenny exchange, either by bill insert or separate mailing. The final notice shall describe the service, instruct customers on dialing, list the additional monthly rates, the date of implementation and any other pertinent information. Frontier Communications shall issue the notice one month before it implements EAS.
5. Frontier Communications shall make any requests for recovery of non-recurring costs at least 120 days before the planned implementation date. The Department shall have 30 days to comment on the proposed charges.
6. The companies serving the MCA shall file proposed customer notices for customers in the MCA for approval by Commission staff 90 days before the anticipated implementation date of the Kilkenny-MCA route. The notices should describe the service, instruct customers on dialing, list the additional rates to be paid and the date of implementation. The companies should send the notices during billing cycles that conclude at least one month, but not more than two months, before EAS is implemented.
7. Frontier Communications shall file tariff sheets reflecting Commission Orders that establish the rates and terms for EAS between Kilkenny and the MCA. Frontier Communications shall file these tariff sheets at least 30 days before implementation of EAS. Docket No. P-404, 407, 520, 405, 413, 421, 426, 427, 430, 573/CP-04-1352 will then be closed.
8. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

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